

Whereas, the Staggers Rail Act of 1980 also places the burden on the State regulatory agencies to entertain the single commodity rate applications, it also absolutely exempts from the State regulatory agency those single commodity applications which are inflation-based rate increases and it also exempts fuel adjustment surcharges; and

Whereas, the Staggers Rail Act of 1980 has preempted the intrastate rail carrier regulatory procedure and set out mandatory parameters and thresholds which the State regulatory agency must follow, the ultimate fact being the State is a hearing forum for implementing the Federal Law; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Chapter 62, Article 7, Section 133, is amended by adding a new subsection (h) to read as follows:

"G.S. 62-133(h). The Commission is not authorized to entertain applications filed on behalf of intrastate rail carriers to fix rates for a single commodity or to fix rates for groups of commodities which constitute less than a general rate increase."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 29th day of May, 1981.

H. B. 614

CHAPTER 477

AN ACT RELATING TO BIDS AND PURCHASES OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. The first sentence of G.S. 115-52 shall not apply for the purchase or exchange of supplies, equipment and materials amounting to thirty thousand dollars (\$30,000) or less, not specifically under an applicable State purchase contract.

Sec. 2. G.S. 143-129, as it appears in the 1980 Interim Supplement to the General Statutes, is amended by deleting the words "five thousand dollars (\$5,000)", and inserting in lieu thereof the words "thirty thousand dollars (\$30,000)."

Sec. 3. This act applies only to the Charlotte-Mecklenburg Board of Education.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 29th day of May, 1981.